In the High Court of Judicature at Madras

Dated: 21.03.2007

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice N. PAUL VASANTHAKUMAR

Writ Appeal Nos.1083 & 1084 of 2004

SQN./LDR.(Dr.) V.Anand .. Appellant in both WAs.
S/o Col Natarajan, Vembu (Retd)
17, Kalyanaramapuram,
Thirugokarnam, Pudukottai 622 002.

Vs.

1.The Government of Tamil Nadu,
rep. by the Secretary to Government,
Department of Health and Family Welfare
Fort St. George, Chennai-9.

2.The Director,
Directorate of Medical Education,
E.V.R. Periyar Salai, Kilpauk, Chennai-10.

3.The Secretary, Selection Committee,
Directorate of Medical Education,
Tamil Nadu, E.V.R. Periyar Salai,
Kilpauk, Chennai-10.

4.The Vice-Chancellor,
Dr.M.G.R. Medical University,
69, Anna Salai, Guindy, Chennai-600 032.

5.The Director,
Medical Council of India,
Aiwan-E-Galib Marg,
Kotla Road, New Delhi-110 002. .. Respondents in WA.1083/2004

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1.The Director,
Directorate of Medical Education,
E.V.R. Periyar Salai, Kilpauk, Chennai-10.

2.The Secretary, Selection Committee,
Directorate of Medical Education,
Tamil Nadu, E.V.R. Periyar Salai,
Kilpauk, Chennai-10.

3.The Controller of Examinations,
Selection Committee,
Directorate of Medical Education,
Tamil Nadu, E.V.R. Periyar Salai,
Kilpauk, Chennai-10. .. Respondents in WA.1084/2004

Writ Appeals filed under Clause 15 of the Letters Patent against the common order dated 10.11.2003 made in W.P.Nos.17771 and 21352 of 2003.

W.P.No.17771 of 2003:- Filed under Article 226 of the constitution of India to issue a writ of mandamus, directing the respondents to call the petitioner for counseling for the Higher Specialty course M.Ch. (Vascular Surgery) for the year 2003-2004 but to allot the only seat earmarked for service candidates to undergo the course.

W.P.No.21352 of 2003:- filed under Article 226 of the constitution of India to issue a writ of Declaration, declaring the restriction clause regarding the residence contained in clauses 64(3) (b) and (c) of the Tamil Nadu Government Medical College Prospectus for the year 2003-2004 as unreasonable illegal, ultra vires and unconstitutional and consequently direct the 4th respondent to create as additional seat and the 5th respondent to grant recognition to that seat so created.

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For Appellant : No appearance
For Respondents 1 to 3 : Mr.P.Subramanian, G.A.,
in both WPs
For 4th respondent : Mrs.AL.Gandhimathi
For 5th respondent : Mr.P.Wilson, SCGSC.,

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COMMON JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM,J.)

When the above writ appeals came up for hearing on 16.03.2007, none appeared for the appellant. In order to give one more opportunity, the appeals were directed to be listed today under the caption "for dismissal". Even today, no one appears for the appellant. The writ appeals are of the year 2004 and considering the relief prayed for, we are of the view that no purpose will be served by keeping the same any longer. Accordingly, both the writ appeals are dismissed for default. No costs.

raa

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1.The Secretary to Government,
Government of Tamil Nadu,
Department of Health and Family Welfare
Fort St. George, Chennai-9.

2.The Director,
Directorate of Medical Education,
E.V.R. Periyar Salai, Kilpauk, Chennai-10.

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Directorate of Medical Education,
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6.The Controller of Examinations,
Selection Committee,
Directorate of Medical Education,
Tamil Nadu, E.V.R. Periyar Salai,
Kilpauk, Chennai-10.

+ 2 ccs to the Government Pleader, SR No.17058, 17486

+ 1 cc to Mr. P. Wilson, ASG of India (SR No.17313

VC(CO)
SR/29.3.2007

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